

TOWN OF TRURO  
BOARD OF SELECTMEN  
MEETING OF TUESDAY, JULY 18, 2006

The Truro Board of Selectmen met for their weekly session on Tuesday, July 18, 2006 at 6:00 p.m. at the Truro Town Hall, 24 Town Hall Road, Truro. In attendance were: Chairman Alfred Gaechter, Vice-Chairman Gary Palmer, Clerk Christopher R. Lucy, Curtis Hartman, Jan Worthington, Town Administrator Pamela Nolan, Assistant Town Administrator Charleen Greenhalgh, Administrative Secretary Julie DuPree, Martha Nagy, Carol Nickerson, Planning Board members Bill Worthington, Nick Brown, Deb Paine, Bill Golden, Karen Snow and Ansel Chaplin, Jim Downey, Joan Moriarty, Bob Weinstein, Nick Norman, Bruce Boleyn, Russ Braun, Jim McCusker, and Pru Sowers of the Banner.

Mr. Gaechter convened the meeting at 6:00 p.m.

**Minutes:** Mr. Hartman moved to approve the minutes of the emergency session of July 6, 2006 as written. Mr. Lucy seconded. Mr. Palmer asked to have the minutes amended. Mr. Hartman moved to approve the amended minutes. Mr. Gaechter seconded it. Vote: 5-0, unanimous.

Mr. Palmer moved to approve the minutes of the regular session of July 11, 2006, as written. Mr. Hartman seconded it. Mr. Gaechter asked to have the minutes amended. Mr. Gaechter moved to approve the minutes as amended. Mr. Lucy seconded it. Vote: 5-0, unanimous.

Mr. Palmer moved to approve the minutes of the executive session of July 11, 2006 as written and to hold them in abeyance. Mr. Lucy seconded it. Mr. Gaechter asked to have the minutes amended. Mr. Gaechter moved to approve the minutes as amended. Mr. Palmer seconded it. Vote: 5-0, unanimous.

**Public Comment:** Ms. Nagy asked for an update on Snow's Landing. Ms. Nolan informed her that Town Counsel was coming before the BOS next week to give an update. Ms. Nagy asked about the chimes. Ms. Nolan said that Mr. Morris would report to the BOS when he gets a report from the consultant.

**Cell Phone Service:** Ms. Brazil explained that FinCom member Mr. Van Stratum had done an inventory of all the cell phones currently in use, and as a result, she has a proposal from Nextel. We have 56 cell phones in total; this proposal could save \$274.43 monthly, and a potential annual savings of \$3,293.20. She cautioned that not all departments would be happy with this; some will pay more than they did, and some will pay less. But we will save overall. All departments will share 17k minutes per month. Mr. Palmer moved to approve the Nextel Subscriber Agreement and authorize the Chair to sign it. Mr. Gaechter seconded it. Vote: 5-0, unanimous.

**Joint Meeting with the Planning Board:** Mr. Worthington said the first two issues have been solved. Mr. Hartman is their liaison and seems to be able to attend most meetings, and they also have the new ATA, with her planning background, on board now as well. Mr. Brown addressed issue #3, the position of planning articles on town meeting warrants. He said that at the present

time they are placed at the end, and that puts them in a difficult position. Anything that can be done about that would be welcome. Mr. Gaechter told him that part of it has been an attempt to keep an audience, but the BOS will consider it.

Mr. Worthington spoke about the goals of the Planning Board. They have had Rex Peterson of Wellfleet come to a meeting and speak to them on Wellfleet's Accessory Apartment Bylaw. He found it interesting, but feels it is not necessarily what Truro needs. They are still looking at it. Ms. Snow said that Ms. Kadar has also spoken to them about the Affordable Housing issue, and told them that there is no one solution. It will take numerous ways. An Affordable Accessory Dwelling Unit Bylaw (AADUB) is viable, but not the solution. They must investigate many things to come to a viable solution. Mr. Brown said he would like to see them bring an AADUB to a STM. Mr. Hartman offered that it may not be an overall solution, but any step will be a step forward. Mr. Chaplin said that the Wellfleet AADUB abandons the concept of Affordable Housing since it is above the income level. He feels the two boards need to discuss if that is what they want to do. Ms. Paine agreed that there is not one solution; perhaps the Planning Board can develop a bylaw by the end of the year, but it will take more than that. She would like to know how to get the public to give input on how they feel about this. Mr. Gaechter said he would like to see them work on these things simultaneously rather than piecemeal. Ms. Greenhalgh told them that there are planning tools used on the Cape, such as, if you develop ten lots, one must be affordable. Provincetown's is very innovative. Other Cape towns using similar tools are Wellfleet and Dennis. Another tool you can use is density bonuses if you create affordable housing. She noted that it only counts if the deed is restricted. She feels we should work with the State to change how affordable housing is counted. For example, Wellfleet's are not deed restricted, but are meeting the need for work force housing. There will be model bylaws on this. Mr. Gaechter said that he doesn't want to be driven by meeting the need for 91 additional affordable units.

Mr. Worthington said that year-round condo use is part of the issue and raises some questions; some things may have to go to the General Court. It is a complicated issue. He said the Planning Board will do this independently from an AADUB. Mr. Brown said he is in favor of year-round condo use. He feels the spin off, not beach front or water view, but in other areas, will be creating some affordable housing. Ms. Worthington asked what other ways there were to consider. Ms. Paine said there are five ways: 40B, fee structure (which is where a house is sold, a percentage goes to a fund), condo use, an AADUB, and subdivision developer responsibility (25% or 10% must be affordable). All are being discussed. There is no simple solution, and Truro may have to develop a whole unique bylaw. Ms. Worthington noted that twelve units is a lot for Truro, and if we could do that in two years, it would be a lot.

Mr. Lucy questioned if the Planning Board was looking at rentals or apartments outside of affordable housing. Mr. Worthington noted that there are 200 apartments in Truro. Mr. Lucy asked if there were any discussion on changing the bylaw to allow them. Mr. Worthington said that they hadn't, except in connection with an AADUB. Ms. Paine said that everything should be on the table. Mr. Brown said there was a piece of this issue for every board; for example, alternative systems to pick up extra bedrooms. The Board of Health could help with this. Mr.

Palmer wondered if we needed an ad hoc committee. Mr. Brown said either a group working session or an ad hoc. Mr. Gaechter said there should be a liaison between them at the very least. He stressed the need to talk to each other.

Mr. Worthington said that revising the Subdivision Control Regulations is very important to them. A draft revision has been done and the whole Board is reviewing and working on it. It will then go to the BOS and Town Counsel. Ms. Snow said that their objective was that the current one is sketchy and doesn't address numerous issues. It is not well laid out, but jumps around. Ms. Worthington wondered where the impetus came from to revise it. Ms. Snow said it came from sitting on the Board and getting different information and quantity of information from all of the different applicants. Mr. Worthington said they have changed the entire layout beginning with ANR, putting it in better order to make it simple and straight-forward. It was noted that subdivision regulations cannot call for anything different than what the Zoning Bylaw calls for, so they cannot make real substantive changes.

Mr. Worthington addressed the LCP growth management initiatives. The LCP is the overriding document to steer us. Mr. Hartman elaborated on that, saying that the LCP issues are the ones that if the Planning Board had the time, they should deal with and worry about.

The Boards discussed the problem with public awareness of town meeting articles content. Mr. Gaechter said the biggest blame for the articles not passing at ATM was a lack of public awareness; they need to work out a better schedule on public hearings and getting the BOS on board. He thought something like what the TBC had done with the Community Center project should be aspired to. They need to meet again to discuss doing a better job. Mr. Hartman questioned if the Planning Board had the funds to do what the TBC had done. Mr. Gaechter said this should be part of the budget process; they need to find the money and perhaps other boards could ante up. Mr. Brown said the town website is getting better and better and could play a role. He also mentioned the trouble with getting the ATM Warrant out earlier so it is available to the public. Ms. Paine noted the TBC used private funds; it didn't cost the taxpayers anything. Ms. Worthington said the newspapers can help; the need is to educate the town because anything seen as more restrictive will be rejected. Mr. Hartman noted that the Subdivision regulations don't go to the town. Mr. Gaechter suggested that they should hold more public meetings; they don't cost anything. Mr. Lucy thought that Town Counsel should give a clearer opinion on if changes could be made after a public hearing, or if changes cannot be made once the bylaw is printed, or even on the floor of Town Meeting. There was discussion. Mr. Gaechter said he has always understood Town Counsel to say that changes could and should be made after a public hearing, and can be changed after it is printed in the newspaper, and can be changed on TM floor as long as the changes are not more restrictive. Mr. Chaplin suggested that Town Counsel be asked to put down definitively what their opinion is on zoning amendments. Mr. Gaechter directed Ms. Nolan to discuss this with Ms. Turano Flores and see what she can provide.

Mr. Lucy asked if the Planning Board was considering a revision of the Site Plan Review. Mr. Worthington said it was not on their schedule for a fall STM. Mr. Hartman noted that the LCP calls for looking at the Site Plan Review on a regular basis, so he is confident it will be on their

schedule in the future.

**Naming Policy:** Ms. Nolan provided a draft policy for the BOS to review. She warned that naming municipal facilities can cause great controversy. The BOS wanted more time to look at this because they did not understand it to be a draft, but thought it was an actual policy. It will go back on their agenda in two weeks.

**Recognition of Lloyd Rose and Paul Asher-Best:** Mr. Gaechter moved to send a letter of recognition for his years of service to Paul Asher-Best. Ms. Worthington seconded it.

**Vote: 5-0, unanimous.** Mr. Gaechter said that at the least, a letter would also be sent to Lloyd Rose.

Mr. Gaechter went on to say that the preponderance of correspondence received was not to have the new park named after a person. He thought they should go with the recommendation from the Open Space Committee for Pamet Park. **Mr. Gaechter moved to permanently name the park Pamet Park and to find a suitable plaque to place on the bench overlooking the river to honor Lloyd Rose's dedication to the town. Ms. Worthington seconded it.** Mr. Hartman spoke in favor of naming the park Dangerfield Park. **Vote: 3-2, with Mr. Hartman and Mr. Palmer opposed.**

**Town Administrator's Report: (action items)**

- Reported on her Flex bus meeting. The North Truro drop off site will be moved 1/10<sup>th</sup> of a mile towards the overpass. She called MA Highway and was told that all we need to do is file an application. The Flex officials made it clear that this would be the permanent drop off site. Mr. Gaechter clarified that there are four things we must do for this new site: clear a spot for the buses to pull over, place the porta-potty, put in a light, and move the bench.
- Reported that we lost our videographer. Our other videographer was just for filling in, so he has gotten a new job and she doesn't know if he will still be available. Ms. Nolan was directed to advertise ASAP.
- Reported that we are on track with NIMS training. Mr. Gaechter asked Ms. Nolan to check on the status of the "suitcase course" for the BOS.

Ms. Worthington inquired if Ms. Nolan had contacted anyone about the proposal to have resident-only beach parking spaces. Mr. Gaechter directed Ms. Nolan to contact the Beach Commission, the Beach Supervisor, and the Police Department for their input.

**Next week's agenda: ConsCom and Town Counsel re: Conservation Bylaw, Snow's Landing, and the Cordi-Allen dredge lawsuit. Mr. Gaechter asked for an update on the Boespflug lawsuit too.**

**Other business: none.**

**Selectmen/Liaison Reports: (action items)**

**Hartman:** -Asked to have the Taxation Aide Committee advertised again.

**Lucy:** -Asked if a resignation had been received from Ted Franklin. He was told it had not. A resignation with signature is needed before an ad can be placed for a vacancy.

**At 6:40 p.m. Mr. Gaechter moved to convene in Executive Session under the provisions of MGL Chapter 39, Section 23B to consider contract matters and to not reconvene in Open Session. Roll Call Vote: Hartman, aye; Palmer, aye; Gaechter, aye; Lucy, aye; Worthington, aye. 5-0, unanimous.**

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Alfred Gaechter, Chairman

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Gary Palmer, Vice-Chairman

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Christopher R. Lucy, Clerk

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Curtis Hartman

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Janet W. Worthington

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